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COMMISSION ON HUMAN RIGHTS
Forty-sixth session
Agenda item 20

RIGHTS OF PERSONS BELONGING TO NATIONAL, ETHNIC, RELIGIOUS AND LINGUISTIC MINORITIES

Yugoslavia: draft resolution

Rights of persons belonging to national, ethnic, religious and linguistic minorities

The Commission on Human Rights,

Recalling its resolutions 14 (XXXIV) of 6 March 1978, 21 (XXXV) of 14 March 1979, 37 (XXXVI) of 12 March 1980, 21 (XXXVII) of 10 March 1981, 1982/38 of 11 March 1982, 1983/53 of 10 March 1983, 1984/62 of 15 March 1984, 1985/53 of 14 March 1985, 1986/60 of 13 March 1986, 1987/47 of 10 March 1987, 1988/64 of 10 March 1988 and 1989/61 of 8 March 1989,

1. Takes note with satisfaction of the report of the open-ended working group set up by the Commission to consider the drafting of a declaration on the rights of persons belonging to national, ethnic, religious and linguistic minorities (E/CN.4/1990/41) and, in particular, of the progress made by the group on the completion of a first reading of the draft declaration;

2. Requests the Secretary-General to entrust the Centre for Human Rights with the preparation of a technical review of the text of the articles of the draft declaration that have been approved by the working group at its

first reading, with a view, inter alia, to ensuring uniformity of terminology and to harmonizing the versions in the official languages of the United Nations, bearing in mind General Assembly resolution 41/120 of 4 December 1986;

3. Requests further the Secretary-General to invite comments, for consideration by the working group, from Governments, specialized agencies, intergovernmental and non-governmental organizations, on the text of the articles of the draft declaration approved by the working group at its first reading;

4. Invites the Secretary-General to prepare for submission to the working group an analytical compilation of the comments received in pursuance of operative paragraph 3 of the present resolution;

5. Decides to consider at its forty-seventh session the agenda item entitled "Rights of persons belonging to national, ethnic, religious and linguistic minorities";

6. Recommends the following draft resolution to the Economic and Social Council for adoption:

"The Economic and Social Council,

Recalling Commission on Human Rights resolution 1990/... of ... March 1990,

1. Authorizes an open-ended working group of the Commission on Human Rights to meet for no fewer than 10 fully-serviced meetings during the first two weeks of the forty-seventh session of the Commission to continue work on the draft declaration, by a second reading of the text, with a view to submitting it to the Commission at its forty-seventh session;

2. Requests the Secretary-General to provide the working group with all the assistance it may require for the continuation of its drafting work."

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COMMISSION ON HUMAN RIGHTS
Forty-sixth session
Agenda item 13

MEASURES TO IMPROVE THE SITUATION AND ENSURE THE HUMAN RIGHTS AND DIGNITY OF ALL MIGRANT WORKERS

Algeria*, Argentina, Bangladesh, Bolivia*, Brazil, China, Colombia, Cuba, Egypt*, Greece*, India, Italy, Mexico, Morocco, Nicaragua*, Pakistan, Peru, Philippines, Portugal, Senegal, Tunisia*, Turkey*, Yugoslavia: draft resolution

The Commission on Human Rights,

Reaffirming the permanent validity of the principles and standards embodied in the basic instruments regarding the international protection of human rights, in particular in the Universal Declaration of Human Rights, the International Covenants on Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention on the Elimination of All Forms of Discrimination against Women,

Convinced that, in spite of the existence of an already established body of principles and standards, there is a need to make further efforts to improve the situation and ensure the human rights and dignity of all migrant workers and their families,

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*/ In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

READEX FICHE

Recalling General Assembly resolution 34/172 of 17 December 1979, by which the Assembly established an open-ended working group to elaborate an international convention on the protection of the rights of all migrant workers and their families,

Recalling also General Assembly resolutions 35/198 of 15 December 1980, 36/160 of 16 December 1981, 37/170 of 17 December 1982, 38/86 of 16 December 1983, 39/102 of 14 December 1984, 40/130 of 13 December 1985, 41/151 of 4 December 1986, 42/140 of 7 December 1987, 43/146 of 8 December 1988 and 44/155 of 15 December 1989, in all of which the Assembly took note of the reports of the Working Group on the Drafting of an International Convention on the Protection of the Rights of All Migrant Workers and Their Families and expressed its satisfaction with the steady and substantial progress being made by the Working Group,

Bearing in mind its own resolutions 37 (XXXVII) of 12 March 1981, 1982/35 of 11 March 1982, 1983/45 of 9 March 1983, 1984/61 of 15 March 1984, 1985/52 of 14 March 1985, 1986/58 of 13 March 1986, 1987/43 of 10 March 1987, 1988/77 of 10 March 1988 and, in particular, 1989/55 of 7 March 1989,

1. Welcomes once more the progress being made by the Working Group in the discharge of its mandate and, in particular, the headway it has made in the second reading of the draft International Convention on the Protection of the Rights of All Migrant Workers and Their Families;

2. Reiterates the request by the General Assembly that the Centre for Human Rights should carry out the technical revision of the text of the articles of the draft convention approved in second reading, with a view to ensuring uniformity of terminology and to harmonizing the versions in the official languages of the United Nations, and expresses the wish that the technical revision should be finalized before the next meeting of the Working Group in order to enable it to complete its work as soon as possible;

3. Invites all Member States to continue co-operating with the Working Group in the performance of its task;

4. Reiterates its hope that the General Assembly will complete the elaboration of the convention as soon as possible;

5. Requests the Secretary-General to inform the Commission at its forty-seventh session of the further progress made in this regard, under the agenda item "Measures to improve the situation and ensure the human rights and dignity of all migrant workers".

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COMMISSION ON HUMAN RIGHTS
Forty-sixth session
Agenda item 12

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Australia*, Canada, France, Germany, Federal Republic of, Hungary, Luxembourg*, Netherlands*, Portugal, Sweden and United Kingdom of Great Britain and Northern Ireland: draft resolution

Human rights situation in Romania

The Commission on Human Rights,

Guided by the principles of the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights,

Reaffirming that the Governments of all Member States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil the obligations they have undertaken under the relevant international instruments,

Recalling its resolution 1989/75 establishing a special rapporteur with the mandate to examine the human rights situation in Romania,

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*/ In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Recognizing that recent events have created new and improved prospects for the human rights situation in that country,

Recognizing also the need to promote a climate favourable to establishing a social order based on full respect for human rights in Romania,

Welcoming the positive attitude of the Government of Romania towards the Special Rapporteur and its willingness to continue to co-operate with him,

Convinced that the continued services of the Special Rapporteur will be of benefit to the Government of Romania and people during the present period of transition towards full respect for human rights and fundamental freedoms in Romania,

1. Takes note with appreciation of the reports of the Special Rapporteur (E/CN.4/1990/28 and Add.1);

2. Takes note of the considerable improvement in respect for human rights that has taken place in Romania;

3. Recommends that the Romanian authorities continue their action to ensure that human rights in all their aspects are respected in their country, both de jure and de facto, and pay particular attention to the points raised in the Special Rapporteur's latter report (E/CN.4/1990/28/Add.1);

4. Also recommends that the Romanian authorities consider the possibility of using the United Nations Voluntary Fund for Advisory Services as suggested by the Special Rapporteur in his report;

5. Decides to extend the mandate of the Special Rapporteur for a further year;

6. Requests the Special Rapporteur to report to the Commission at its forty-seventh session;

7. Takes note with appreciation of the readiness of the Government of Romania to co-operate with the Commission and its Special Rapporteur;

8. Requests the Secretary-General to continue to provide all necessary assistance to the Special Rapporteur to enable him to carry out his mandate in the best possible conditions;

9. Decides to continue its consideration of the human rights situation in Romania at its forty-seventh session under the agenda item entitled "Question of the violation of human rights and fundamental freedoms in any part of the world, with particular reference to colonial and other dependent countries and territories".

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Agenda item 12

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Australia*, Canada, France, Germany, Federal Republic of, Hungary, Luxembourg*, Netherlands*, Portugal, Sweden and United Kingdom of Great Britain and Northern Ireland: draft resolution

Human rights situation in Romania

The Commission on Human Rights,

Guided by the principles of the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights,

Reaffirming that the Governments of all Member States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil the obligations they have undertaken under the relevant international instruments,

Recalling its resolution 1989/75 establishing a special rapporteur with the mandate to examine the human rights situation in Romania,

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*/ In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Recognizing that recent events have created new and improved prospects for the human rights situation in that country,

Recognizing also the need to promote a climate favourable to establishing a social order based on full respect for human rights in Romania,

Welcoming the positive attitude of the Government of Romania towards the Special Rapporteur and its willingness to continue to co-operate with him,

Convinced that the continued services of the Special Rapporteur will be of benefit to the Government of Romania and people during the present period of transition towards full respect for human rights and fundamental freedoms in Romania,

1. Takes note with appreciation of the reports of the Special Rapporteur (E/CN.4/1990/28 and Add.1);

2. Takes note of the considerable improvement in respect for human rights that has taken place in Romania;

3. Recommends that the Romanian authorities continue their action to ensure that human rights in all their aspects are respected in their country, both de jure and de facto, and pay particular attention to the points raised in the Special Rapporteur's latter report (E/CN.4/1990/28/Add.1);

4. Also recommends that the Romanian authorities consider the possibility of using the United Nations Voluntary Fund for Advisory Services as suggested by the Special Rapporteur in his report;

5. Decides to extend the mandate of the Special Rapporteur for a further year;

6. Requests the Special Rapporteur to report to the Commission at its forty-seventh session;

7. Takes note with appreciation of the readiness of the Government of Romania to co-operate with the Commission and its Special Rapporteur;

8. Requests the Secretary-General to continue to provide all necessary assistance to the Special Rapporteur to enable him to carry out his mandate in the best possible conditions;

9. Decides to continue its consideration of the human rights situation in Romania at its forty-seventh session.

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COMMISSION ON HUMAN RIGHTS
Forty-sixth session
Agenda item 14

HUMAN RIGHTS AND SCIENTIFIC AND TECHNOLOGICAL DEVELOPMENTS

Argentina, Bulgaria, Byelorussian Soviet Socialist Republic*, Colombia, German Democratic Republic*, Hungary, Morocco, Panama, Peru, Poland*, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland: draft resolution

Human rights and scientific and technological developments

The Commission on Human Rights,

Noting that scientific and technological progress is one of the decisive factors in the development of human society,

Bearing in mind the relevant provisions of the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Declaration on Social Progress and Development,

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*/ In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Conscious that it is only the creative genius of humankind that makes progress and the development of civilization possible in a peaceful environment, and that human life must be recognized as supreme,

Recalling the fundamental importance of the right to life,

Bearing in mind that the exchange and transfer of scientific and technological knowledge is one of the important ways to accelerate the social and economic development of the developing countries,

Recalling its relevant resolutions,

1. Calls upon all States to make every effort to use the achievements of science and technology in order to promote peaceful social, economic and cultural development and progress;

2. Recalls the historic responsibility of the Governments of all countries of the world to preserve civilization and to ensure that everyone enjoys his or her inherent right to life, and calls upon them to do their utmost to assist in implementing the right to life through the adoption of appropriate measures at both the national and the international levels;

3. Calls upon all States, appropriate United Nations bodies, specialized agencies and intergovernmental and non-governmental organizations concerned to take the necessary measures to ensure that the results of scientific and technological progress, the material and intellectual potential of mankind, are used for the benefit of humankind and for promoting and encouraging universal respect for human rights and fundamental freedoms;

4. Decides to include in the provisional agenda of its forty-eighth session the item entitled "Human rights and scientific and technological developments".

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COMMISSION ON HUMAN RIGHTS
Forty-sixth session
Agenda item 24

DRAFTING OF A DECLARATION ON THE RIGHT AND RESPONSIBILITY OF INDIVIDUALS, GROUPS AND ORGANS OF SOCIETY TO PROMOTE AND PROTECT UNIVERSALLY RECOGNIZED HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Australia*, Austria*, Bulgaria, Canada, Colombia, German Democratic Republic*, Norway*, Philippines, Sweden, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics and United States of America: draft resolution

* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

GE.90-11227/5513A

Question of a draft declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms

The Commission on Human Rights,

Recalling its decision 1984/116 of 16 March 1984, under which it established an open-ended working group to draft a declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms,

Recalling also its decision 1985/112 of 14 March 1985 that the open-ended working group should be convened at the forty-second session of the Commission, meeting pre-sessionally for one week, and its resolutions 1986/44 of 12 March 1986, 1987/52 of 11 March 1987, 1988/71 of 10 March 1988 and 1989/60 of 8 March 1989, in which the progress achieved by the working group at its first, second, third and fourth meetings was noted,

Recalling also its resolutions 23 (XXXVI) of 29 February 1980, 28 (XXXVII) of 11 March 1981, 1982/30 of 11 March 1982 and 1983/31 of 8 March 1983 concerning the role of individuals, groups and organs of society in the promotion and protection of universally recognized human rights,

Welcoming the significant progress made by the working group during its meetings prior to and during the forty-sixth session of the Commission,

Noting that the extensive discussion which took place prior to the forty-fifth session of the Commission and the provision of additional meeting time prior to the forty-sixth session contributed to this result,

1. Decides to continue at its forty-seventh session its work on the elaboration of the draft declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms, on the basis of the views expressed and proposals made in the working group at its previous sessions, as well as any further proposals which may be made;

2. Decides also to make available prior to and during the forty-seventh session of the Commission appropriate meeting time for the working group;

3. Recommends the following draft resolution to the Economic and Social Council for adoption:

The Economic and Social Council,

Recalling Commission on Human Rights resolution ..... of .....,

1. Authorizes an open-ended working group to meet for a period of eight working days prior to the forty-seventh session of the Commission on Human Rights, with a view to continuing the elaboration of a draft declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms;

2. Requests the Secretary-General to extend all facilities to the working group for its meeting prior to and during the forty-seventh session of the Commission, and to transmit the report of the working group that met prior to and during the forty-sixth session, together with the annexes thereto, to all Member States in advance of the meeting of the working group to enable it to continue its work on the elaboration of the draft declaration.

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Forty-sixth session
Agenda item 14

HUMAN RIGHTS AND SCIENTIFIC AND TECHNOLOGICAL DEVELOPMENTS

Algeria*, Bulgaria, Byelorussian Soviet Socialist Republic*, Cyprus*, Czechoslovakia*, France, German Democratic Republic*, Madagascar, Mongolia*, Nigeria, Peru, Poland*, Senegal Ukrainian Soviet Socialist Republic, Viet Nam* and Sweden: draft resolution

Human rights and the environment

The Commission on Human Rights,

Noting that scientific and technological progress is one of the decisive factors in the development of human society,

Convinced of the paramount importance of the application of science and technology to economic and social progress and to the promotion and enjoyment of human rights and fundamental freedoms,

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* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Aware that increasing environmental degradation caused by the negative influence of scientific and technological development has led in some cases to irreversible changes in the environment, which threaten life-sustaining ecosystems and undermine health, well-being, development prospects and the very survival of life on the planet,

Convinced that the preservation of life-sustaining ecosystems under conditions of rapid scientific and technological development is of vital importance for the protection of the human species and the promotion of human rights,

Noting that everyone has the right to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions,

Also noting that the States parties to the International Covenant on Economic, Social and Cultural Rights recognized the right of everyone to the enjoyment of the highest attainable standard of physical and mental health and agree, for that purpose, to take the steps necessary for the improvement of all aspects of environmental and industrial health,

Recalling General Assembly resolution 44/228 of 22 December 1989 on a United Nations Conference on Environment and Development to be held in Brazil in 1992,

Noting decision 1989/108 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities entitled "Human rights and the environment",

1. Welcomes the decision of the Sub-Commission to have a note prepared for its forty-second session on methods by which a study on the problems of the environment and its relation to human rights could be made;

2. Requests the Secretary-General to transmit this resolution to the Preparatory Committee of the United Nations Conference on Environment and Development, and to keep the Committee duly informed of the work in this field.

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Forty-sixth session
Agenda item 14

HUMAN RIGHTS AND SCIENTIFIC AND TECHNOLOGICAL DEVELOPMENTS

Algeria*, Bulgaria, Byelorussian Soviet Socialist Republic*, China, Cyprus*, Czechoslovakia*, France, German Democratic Republic*, Greece*, Madagascar, Mongolia*, Nigeria, Peru, Poland*, Senegal Ukrainian Soviet Socialist Republic and Viet Nam*: draft resolution

Human rights and the environment

The Commission on Human Rights,

Noting that scientific and technological progress is one of the decisive factors in the development of human society,

Convinced of the paramount importance of the application of science and technology to economic and social progress and to the promotion and enjoyment of human rights and fundamental freedoms,

Aware that increasing environmental degradation caused by the negative influence of scientific and technological development has led in some cases to irreversible changes in the environment, which threaten life-sustaining ecosystems and undermine health, well-being, development prospects and the very survival of life on the planet,

---

*/ In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Convinced that the preservation of life-sustaining ecosystems under conditions of rapid scientific and technological development is of vital importance for the protection of the human species and the promotion of human rights,

Noting that everyone has the right to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions,

Also noting that the States parties to the International Covenant on Economic, Social and Cultural Rights recognized the right of everyone to the enjoyment of the highest attainable standard of physical and mental health and agree, for that purpose, to take the steps necessary for the improvement of all aspects of environmental and industrial health,

Recalling General Assembly resolution 44/228 of 22 December 1989 on a United Nations Conference on Environment and Development to be held in Brazil in 1992,

Noting decision 1989/108 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities entitled "Human rights and the environment",

1. Welcomes the decision of the Sub-Commission to have a note prepared for its forty-second session on methods by which a study on the problems of the environment and its relation to human rights could be made;

2. Requests the Secretary-General to transmit this resolution to the Preparatory Committee of the United Nations Conference on Environment and Development, and to keep the Committee duly informed of the work in this field.

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COMMISSION ON HUMAN RIGHTS
Forty-sixth session
Agenda item 12

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Question of the human rights situation in Romania

Administrative and programme budget implications of the draft resolution contained in document E/CN.4/1990/L.60

Statement submitted by the Secretary-General in accordance with rule 28 of the rules of procedure of the functional comissions of the Economic and Social Council

A. Requests contained in the draft resolution

1. By operative paragraph 5 of draft resolution E/CN.4/1990/L.60, the Commission would decide to extend the mandate of the Special Rapporteur of the Commission for one year.

B. Relationship of request to programme of work

2. The activities referred to above fall under chapter 6, section II, "Programme: Centre for Human Rights", subprogramme 1, "Implementation of international standards, instruments and procedures", the objectives of and the strategy for which are described in paragraphs 6.20, 6.22 and 6.23 of the medium-term plan for the period 1984-1989 (A/37/6) as extended until 1991.

3. The following programme element of Section 23 (Human Rights) of the programme budget for the biennium 1990-1991 is directly affected by the activities referred to in the draft resolution:

Programme element 1.3 - Servicing special procedures including assistance to ad hoc investigatory or fact-finding bodies

Output: (vii) Substantive servicing of 20 separate exercises of a fact-finding nature or other procedure dealing with alleged violations of human rights decided upon by policy-making organs during the biennium, including gathering and analysis of materials, consultations and field missions.

Output: (viii) Preparation of 20 reports to be submitted to the Commission on Human Rights and the General Assembly on fact-finding exercises mentioned in previous output.

C. Activities by which the request would be implemented

4. It is envisaged that, in order to carry out his mandate, the Special Rapporteur will travel to Geneva for a period of five working days in May or June 1990 to hold consultations at the Centre for Human Rights and to organize and plan his work in relation to his mandate. The Special Rapporteur will travel to Geneva for a period of five working days in August or September 1990 in order to prepare his report, and in December 1990 in order to finalize it. In February or March 1991 he will travel to Geneva for a period of five working days to present his report to the Commission on Human Rights at its forty-seventh session. In order to respond to invitations from Governments, the Special Rapporteur, accompanied by two substantive officers, will undertake a field mission, in 1990.

5. Additional staffing resources to assist the Special Rapporteur in the processing of information collected and in the preparation of his report would be required for a period of five months in 1990 and one month in 1991.

D. Modifications required in the programme of work

6. No modifications would be required in the programme of work for 1990-1991 since the activity appears under programme element 1.3.2.

E. Additional requirements at full cost

7. The estimated cost of the above programme of work is itemized as follows:

	1990	1991
	(US dollars)	
One round trip to Geneva of the Special Rapporteur for consultations at the Centre for Human Rights, May/June 1990 (5 working days)		
Travel and subsistence	1 300	-
One field mission of the Special Rapporteur accompanied by two staff members from the Centre for Human Rights (calculated on a notional basis for a period of 5 working days)		
Travel costs of the Special Rapporteur	1 900	-
Travel costs of substantive staff	3 700	-
General operating expenses: local transport, communication and rental of office space	1 000	-
One round trip to Geneva of the Special Rapporteur to prepare his report, August/September 1990 (5 working days)		
Travel and subsistence	1 300	-
One round trip to Geneva of the Special Rapporteur to finalize his report, December 1990 (5 working days)		
Travel and subsistence	1 300	-

	1990	1991
	(US dollars)	
One round trip to Geneva of the Special Rapporteur to present his report to the Commission on Human Rights at its forty-seventh session, February/March 1991 (5 working days)		
Travel and subsistence		1 300
General temporary assistance		
Six work-months at P-3 level 1/	22 500	4 500
Six work-months at GS level 1/	17 500	3 500
Total	50 500	9 300

8. The relevant costs to be financed under Section 23 (Human Rights) are estimated at $50,500 for 1990 and $9,300 for 1991.

9. Should the services of an interpreter be required during the field mission, salary, travel and subsistence costs are estimated at $5,000 to be financed under Section 29 B Conference Services Division, (Geneva).

10. This draft resolution is considered to be within the scope of perennial activities and resources therefore would be provided from the existing provision for the Economic and Social Council mandates under Section 23 (Human Rights), thus making it unnecessary to request any additional appropriation or to have recourse to the contingency fund.

1/ 5 w/m in 1990 and 1 w/m in 1991.

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Forty-sixth session
Agenda item 14

HUMAN RIGHTS AND SCIENTIFIC AND TECHNOLOGICAL DEVELOPMENTS

France, Luxembourg*, United Kingdom of Great Britain and Northern Ireland: draft resolution

Guidelines on the use of computerized personal files

The Commission on Human Rights,

Bearing in mind General Assembly resolution 44/132 of 15 December 1989,

Having considered the revised version of the guidelines for the regulation of computerized personal data files prepared by the Special Rapporteur, Mr. Louis Joinet (E/CN.4/1990/72),

Recommends the following draft resolution to the Economic and Social Council for adoption:

"The Economic and Social Council,

Bearing in mind General Assembly resolution 44/132 of 15 December 1989,

Taking account of Commission on Human Rights resolution 1990/... entitled 'Guidelines on the use of computerized personal files',

1. Expresses its appreciation to the Sub-Commission's Special Rapporteur, Mr. Louis Joinet, for the revised version of the guidelines for the regulation of computerized personal data files (E/CN.4/1990/72);

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*/ In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

2. Decides to transmit the final report of the Special Rapporteur to the General Assembly for final adoption;

3. Requests the Secretary-General to bring the revised draft guidelines to the attention of all Governments;

4. Recommends that the General Assembly should consider, as a matter of priority, the adoption and publication of the guidelines for the use of computerized personal files."

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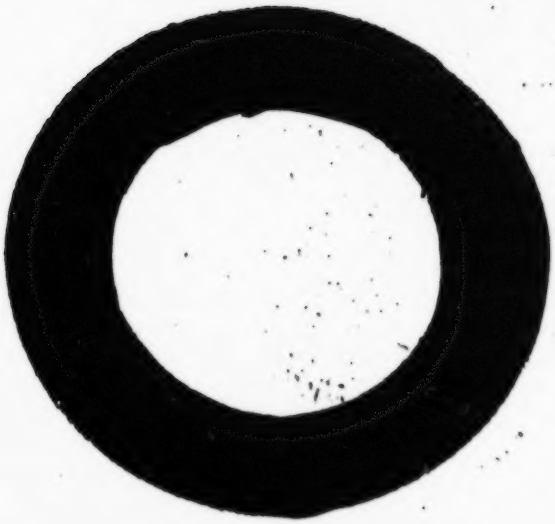
Forty-sixth session
Agenda item 19

REPORT OF THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES ON ITS FORTY-FIRST SESSION

France: draft decision

Consideration, by the Sub-Commission of the report on the practice of administrative detention

At its ... meeting, on ... March 1990, the Commission, noting that the Sub-Commission on Prevention of Discrimination and Protection of Minorities had, due to lack of time, been unable to consider the report by Mr. Louis Joinet on the practice of administrative detention (E/CN.4/Sub.2/1989/27) pursuant to Commission resolution 1989/38 of 6 March 1989 and had therefore decided, in decision 1989/111, to examine it as a matter of high priority at its forty-second session, decided to invite once again the Sub-Commission to make any proposals it deemed necessary and to continue the consideration of this question at its forty-seventh session, under the agenda item entitled "Report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on its forty-second session".



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COMMISSION ON HUMAN RIGHTS
Forty-sixth session
Item 12 of the agenda

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Belgium, Canada, Cyprus, Denmark*, Finland*, France, Gambia, Greece*, Italy, Luxembourg*, Netherlands*, New Zealand*, Norway*, Spain, Sweden, Switzerland*, Togo*, United Kingdom of Great Britain and Northern Ireland: draft resolution

Summary or arbitrary executions

The Commission on Human Rights,

Recalling the Universal Declaration of Human Rights, which guarantees the right to life, liberty and security of person,

Having regard to the provisions of the International Covenant on Civil and Political Rights, in which it is stated that every human being has the inherent right to life, that this right shall be protected by law, and that no one shall be arbitrarily deprived of his life,

Recalling General Assembly resolution 34/175 of 17 December 1979, in which the Assembly reaffirmed that mass and flagrant violations of human rights were of special concern to the United Nations and urged the Commission on Human Rights to take timely and effective action in existing and future cases of mass and flagrant violations of human rights,

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*/ In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Mindful of General Assembly resolutions 36/22 of 9 November 1981, 37/182 of 17 December 1982, 38/96 of 16 December 1983, 39/110 of 4 December 1984, 40/143 of 13 December 1985, 41/144 of 4 December 1986, 42/141 of 7 December 1987, 43/151 of 8 December 1988 and 44/159 of 15 December 1989,

Taking note of Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1982/13 of 7 September 1982, in which the Sub-Commission recommended that effective measures should be adopted to prevent the occurrence of summary or abritrary executions,

Welcoming Economic and Social Council resolution 1984/50 of 25 May 1984 and the safeguards guaranteeing protection of the rights of those facing the death penalty annexed thereto, which resolution was endorsed by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders in its resolution 15, as well as the ongoing work on summary and arbitrary executions within the Committee on Crime Prevention and Control,

Welcoming also the close co-operation established between the Centre for Human Rights, the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs and the Committee on the effective prevention and investigation of arbitrary and summary executions, including extra-legal executions,

Recalling the adoption of Economic and Social Council resolution 1989/65 of 24 May 1989 containing the Principles on the Effective Prevention and Investigation of Extra-legal Arbitrary and Summary Executions,

Recalling also the adoption of Economic and Social Council resolution 1989/64 of 24 May 1989 entitled "Implementation of the safeguards guaranteeing protection of the rights of those facing the death penalty" and the recommendations contained therein,

Deeply alarmed at the occurrence, on a large scale of summary or arbitrary executions, including extra-legal execution,

Convinced of the need for appropriate action to combat and eventually eliminate the abhorrent practice of summary or arbitrary executions, which represents a flagrant violation of the most fundamental right, the right to life,

1. Strongly condemns, once again, the large number of summary or arbitrary executions, including extra-legal executions, which continue to take place in various parts of the world;

2. Appeals urgently to Governments, United Nations bodies, the specialized agencies, regional intergovernmental organizations and non-governmental organizations to take effective action to combat and eliminate summary or arbitrary executions, including extra-legal executions;

3. Takes note with appreciation of the report of the Special Rapporteur, Mr. S. Amos Wako, (E/CN.4/1990/22 and Corr.1 and Add.1) and welcomes his recommendations with a view to eliminating summary or arbitrary executions;

4. Decides to continue the mandate of the Special Rapporteur for two years in order to enable him to submit further conclusions and recommendations to the Commision;

5. Requests the Special Rapporteur, in carrying out his mandate, to continue to examine situations of summary or arbitrary executions;

6. Also requests the Special Rapporteur, in carrying out his mandate, to respond effectively to information that comes before him, in particular when a summary or arbitrary execution is imminent or threatened or when such an execution has occurred.

7. Encourages Governments, international organizations and non-governmental organizations to set up training programmes and to support projects with a view to training or educating law enforcement officers in human rights issues connected with their work, and appeals to the international community to support endeavours to that end;

8. Requests the Secretary-General to continue to provide all necessary assistance to the Special Rapporteur;

9. Also requests the Secretary-General to consider ways of publicizing, particularly within the framework of the information activities of the Centre for Human Rights, the work of the Special Rapporteur as well as his recommendations;

10. Urges all Governments, in particular those which have consistently not responded to communications transmitted to them by the Special Rapporteur, and all others concerned to co-operate with and assist the Special Rapporteur so that he may carry out his mandate effectively;

11. Again requests the Secretary-General to continue to use his best endeavours in cases where the minimum standard of legal safeguards provided for in articles 6, 14 and 15 of the International Covenant on Civil and Political Rights appears not to be respected;

12. Decides to consider the question of summary or arbitrary executions at its forty-seventh session, as a matter of high priority, under the agenda item entitled "Question of the violation of human rights and fundamental freedoms in any part of the world, with particular reference to colonial and other dependent countries and territories".

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COMMISSION ON HUMAN RIGHTS
Forty-sixth session
Agenda item 22

ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS

Bolivia*, Canada, Costa Rica* and Peru: draft resolution

Situation in Equatorial Guinea

The Commission on Human Rights,

Recalling its resolution 1989/70,

Bearing in mind that the Economic and Social Council, in its resolution 1982/36 of 7 May 1982, took note of the Plan of Action proposed by the United Nations and accepted by the Government of Equatorial Guinea, which was based on recommendations submitted by Mr. Fernando Volio Jiménez, the Expert appointed by the Secretary-General pursuant to Commission on Human Rights resolution 33 (XXXVI) of 11 March 1980,

Noting with satisfaction that the Government of Equatorial Guinea is a party to the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocol to the International Covenant on Civil and Political Rights,

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*/ In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Taking into account that the Government of Equatorial Guinea has an obligation to submit periodic reports to the Committee on Economic, Social and Cultural Rights and the Human Rights Committee and that its initial reports are overdue,

Mindful of the fact that, for an appropriate and valid reform of the present political Constitution to be carried out, it is not only necessary to make technical changes but also essential to secure the active participation of all political tendencies, including the opposition parties in exile,

Also taking into account (a) that the Equatorial Guinea nationals in exile who wish to return to and be reintegrated in the country include many qualified persons who could fill the existing gap with maximum promptness, and (b) that the lack of trained personnel has been highlighted by the Expert, who has also recommended that the Government of Equatorial Guinea should grant a broad amnesty to all opponents of the régime who are in exile,

Considering that articles 20 and 21 of the Universal Declaration of Human Rights, article 8 of the International Covenant on Economic, Social and Cultural Rights and article 22 of the International Covenant on Civil and Political Rights stipulate that everyone has the right to freedom of peaceful assembly and association,

1. Commends the Expert for his report on the human rights situation in Equatorial Guinea (E/CN.4/1990/42);

2. Welcomes the news that the Government of Equatorial Guinea is to ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Convention on the Elimination of All Forms of Racial Discrimination;

3. Urges the Government of Equatorial Guinea, in accordance with the Expert's recommendation, to establish a Special Review Commission to monitor the implementation of the Plan of Action as soon as possible, and to adopt other measures suggested for the purpose of promoting and protecting human rights;

4. Also recommends that the Government of Equatorial Guinea should avail itself of the advisory services in the field of human rights to prepare the initial reports on the human rights situation in the country in accordance with the recommendation of the Committee on Economic, Social and Cultural Rights (E/1989/22 - E/C.12/1989/5, para. 344 (b)) in order to fulfil with its obligations as a party to the International Covenants on Human Rights;

5. Urges the Government of Equatorial Guinea to draw up a General Associations Act to facilitate the implementation of the human rights recognized in the International Covenants on Human Rights ratified by that Government;

6. Encourages the Government of Equatorial Guinea to endeavour to facilitate the repatriation of all refugees and exiles, inter alia by adopting measures permitting the full participation of all citizens in the country's political, economic, social and cultural affairs, thus helping to resolve the shortage of specialized personnel, as indicated in the Expert's report;

7. Requests the Secretary-General to provide such advisory services and other forms of appropriate assistance in the field of human rights as may be requested by the Government of Equatorial Guinea, especially for the purpose of codifying the basic civil and criminal laws and preparing the initial reports which Equatorial Guinea, as a party to the International Covenants on Human Rights, is required to submit to the committees established by those treaties;

8. Further requests the Secretary-General to extend the mandate of the Expert responsible for co-operating with the Government of Equatorial Guinea in the full implementation of the Plan of Action proposed by the United Nations and accepted by that Government;

9. Requests the Expert to report to the Commission on Human Rights at its forty-seventh session.

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Agenda item 11

FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION

Australia*, China, Cyprus, Philippines and Sri Lanka: draft resolution

Regional arrangements for the promotion and protection of human rights in the Asian-Pacific region

The Commission on Human Rights,

Recalling that the General Assembly in its resolution 41/153 of 4 December 1986 and 43/140 of 8 December 1988 affirmed the value of regional arrangements for the promotion and protection of human rights in the Asian-Pacific region,

Recalling also its own resolution 1988/73 of 10 March 1988, and 1989/50 of 7 March 1989,

Noting the Economic and Social Commission for Asia and the Pacific (ESCAP) resolution 45/2 of 5 April 1989,

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*/ In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Recognizing also the valuable contribution that could be made by national institutions in the field of human rights to the concept of regional arrangements,

Bearing in mind that intergovernmental arrangements for the promotion and protection of human rights have been established in other regions,

Noting the value of the seminar on national, local and regional arrangements for the promotion and protection of human rights in the Asian region, held at Colombo in 1982 (A/37/422, annex), and the training course on human rights teaching held at Bangkok in 1987 under the United Nations programme of advisory services in the field of human rights (E/CN.4/1988/39/Add.1),

1. Takes note of the report of the Secretary-General (E/CN.4/1990/18 and Add.1);

2. Welcomes the designation of the Economic and Social Commission for Asia and the Pacific library as the depository centre for United Nations human rights materials within the Commission at Bangkok, the functions of which would include the collection, processing and dissemination of such materials in the Asian-Pacific region;

3. Requests the Secretary-General to ensure a continuing flow of human rights materials to the library of the Economic and Social Commission for Asia and the Pacific at Bangkok for appropriate dissemination in the region;

4. Encourages United Nations development agencies in the Asian-Pacific region to co-ordinate with the Economic and Social Commision for Asia and the Pacific their efforts to promote the human rights dimension in their activities;

5. Takes note that an Asian-Pacific regional workshop on various human rights issues including regional and national institutions and arrangements for the promotion and protection of human rights will be held in Manila in early 1990, within the framework of the advisory services and technical assistance programme, and the World Public Information Campaign for Human Rights;

6. Requests the Secretary-General to consult the countries of the Asian-Pacific region on the widest possible basis in the implementation of the present resolution;

7. Requests also the Secretary-General to submit a further report to the Commission at its forty-seventh session incorporating information on the progress achieved in the implementation of the present resolution;

8. Decides to continue its consideration of this question at its forty-seventh session under the agenda item entitled "Further promotion and encouragement of human rights and fundamental freedoms, including the question of the programme and methods of work of the Commission".

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COMMISSION ON HUMAN RIGHTS
Forty-sixth session
Agenda item 19

REPORT OF THE SUB-COMMISSION AND PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES ON ITS FORTY-FIRST SESSION

Afghanistan*, Australia*, Canada, China, Colombia, Cuba, Cyprus, Denmark*, Gambia, German Democratic Republic*, Netherlands*, New Zealand*, Norway*, Peru, Philippines, Senegal, Sweden and Zaire*: draft resolution

Report of the Working Group on Indigenous Populations of the Sub-Commission on Prevention of Discrimination and Protection of Minorities

The Commission on Human Rights,

Mindful that one of the purposes of the United Nations as embodied in the Charter is to achieve international co-operation in solving international problems of an economic, social, cultural or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion,

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*/ In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Recalling Economic and Social Council resolution 1982/34 of 7 May 1982, in which the Council authorized the Sub-Commission on Prevention of Discrimination and Protection of Minorities to establish annually a working group on indigenous populations with the mandate to review developments pertaining to the promotion and protection of the human rights and fundamental freedoms of indigenous populations, giving special attention to the evolution of standards concerning the rights of indigenous populations,

Recalling also its resolution 1988/44 of 8 March 1988, in which it urged the Working Group on Indigenous Populations to intensify its efforts, in carrying out its plan of action, to continue the elaboration of international standards in this field,

Having examined the report (E/CN.4/Sub.2/1989/36) of the Working Group on its seventh session, held from 31 July to 4 August 1989,

Conscious that, in various situations, indigenous populations are unable to enjoy their inalienable human rights and fundamental freedoms,

Bearing in mind that international standards must be developed on the basis of the diverse realities of indigenous populations in all parts of the world,

Determined to do everything possible to promote the enjoyment of the rights of indigenous populations,

1. Expresses its appreciation to the Working Group on Indigenous Populations of the Sub-Commission on Prevention of Discrimination and Protection of Minorities for its valuable work, in particular the progress made at its seventh session in the area of standard-setting, and for its continued broad approach and flexible methods of work;

2. Further expresses its appreciation for the active and constructive participation in the work of the Working Group of observers for Governments, specialized agencies, non-governmental organizations and, in particular, indigenous organizations and communities;

3. Welcomes the decision of the Sub-Commission to continue to entrust to the Chairman-Rapporteur of the Working Group, Mrs. Erica-Irene Daes, the further development of a draft declaration on indigenous rights within the framework contained in her working paper, taking into consideration, inter alia, the comments on the draft declaration which will be provided by Governments, indigenous organizations and communities and other interested parties in accordance with the relevant resolution of the Sub-Commission;

4. Requests the Secretary-General to give the Chairman-Rapporteur of the Working Group the resources and assistance needed to carry out her task;

5. Recommends to the Economic and Social Council that the Working Group on Indigenous Populations be authorized to meet for ten working days prior to the annual forty-second session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, for the purpose of intensifying its efforts to complete a draft declaration on indigenous rights in consultation with interested Governments and organizations of indigenous peoples;

6. Recalls that the Economic and Social Council, in its resolution 1988/37 of 27 May 1988, recommended that the General Assembly should, when appropriate, proclaim an international year of the world's indigenous populations;

7. Encourages Governments and indigenous organizations and communities, as well as other interested parties, to review and comment upon the draft declaration contained in annex II to the report of the Working Group on its seventh session (E/CN.4/Sub.2/1989/36), as invited by the Sub-Commission;

8. Urges the Working Group to intensify its efforts to continue and to complete as soon as possible the elaboration of international standards based on a continued and comprehensive review of developments pertaining to the promotion and protection of the human rights of indigenous populations and of the situation and aspirations of indigenous populations throughout the world;

9. Requests the Secretary-General to give all necessary assistance to the Working Group in discharging its tasks, including adequate dissemination of information about the activities of the Working Group to Governments, specialized agencies, non-governmental organizations and organizations and communities of indigenous populations, in order to encourage the widest possible participation in its work;

10. Further requests the Secretary-General to organize in 1991, within the existing resources and framework of the United Nations regular programme of technical co-operation, a technical conference on practical experience in the realization of sustainable and environmentally sound self-development by indigenous peoples, with the participation of experts from Governments, appropriate specialized agencies and indigenous peoples organizations; this conference should be held along the same lines as the Seminar on the effects of racisms and racial discrimination on the social and economic relations between indigenous peoples and States;

11. Expresses its gratitude and appreciation to the Governments and organizations which have already made contributions to the United Nations Voluntary Fund for Indigenous Populations;

12. Appeals to all Governments, organizations and individuals in a position to do so to consider favourably requests for initial as well as further contributions to the Fund;

13. Requests the Working Group on Indigenous Populations and the Sub-Commission to consider ways and means of broadening the scope and activities of the Voluntary Fund, in order to provide enhanced orientation for representatives of indigenous populations attending the annual sessions of the Working Group, and to transmit their recommendations to the Commission at its forty-seventh session.

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REPORT OF THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES AT ITS FORTY-FIRST SESSION

Belgium, Colombia, Costa Rica*, France, Gambia, Nicaragua*, Philippines, Portugal, the Netherlands* and Zaire: draft resolution

Report of the Working Group on Contemporary Forms of Slavery of the Sub-Commission on Prevention of Discrimination and Protection of Minorities

The Commission on Human Rights,

Recalling the provisions of the Slavery Convention of 1926, the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery of 1956 and the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others of 1949,

Having noted the report of the Working Group on Contemporary Forms of Slavery submitted to the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its forty-first session (E/CN.4/Sub.2/1989/39),

Having considered Sub-Commission resolutions 1987/31 and 1987/32 of 4 September 1987, 1988/31 of 1 September 1988 and 1989/41 of 1 September 1989,

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*/ In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Recalling its resolutions 1982/20 of 10 March 1982 on the question of slavery and the slave trade in all their practices and manifestations, 1988/42 of 8 March 1988 and 1989/35 of 6 March 1989 on the report of the Sub-Commission's Working Group on Slavery,

Recalling Economic and Social Council resolutions 1982/20 of 4 May 1982 and 1983/30 of 26 May 1983 on the suppression of the traffic in persons and of the exploitation of the prostitution of others,

Recalling also Economic and Social Council resolution 1988/34 of 27 May 1988 and 1989/74 of 24 May 1989 on the Working Group on Contemptory Forms of Slavery,

Recalling further General Assembly resolutions 38/107 of 16 December 1983 and 40/103 of 13 December 1985 on the prevention of prostitution,

Gravely concerned that slavery, the slave trade, slavery-like practices and even modern manifestations of this phenomenon still exist, representing some of the gravest violations of human rights,

1. Requests the Secretary-General to invite States parties to the Slavery Convention of 1926, the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery of 1956 and the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others of 1949 to submit to the Sub-Commission regular reports on the situation in their countries, as provided for under the conventions and in Economic and Social Council decision 16 (LVI) of 17 May 1974, which contains the mandate of the Working Group;

2. Invites those eligible States which have not ratified the relevant conventions to consider doing so as soon as possible, or to explain in writing why they feel unable to do so, and invites them to consider providing information regarding their national legislation and practices in this field;

3. Invites intergovernmental organizations, relevant agencies of the United Nations, including the International Labour Organisation, the World Health Organization, the World Bank, the International Monetary Fund, the Food and Agriculture Organization of the United Nations, the United Nations Educational, Scientific and Cultural Organization, the United Nations Development Programme, the United Nations Children's Fund and the United Nations University, the International Criminal Police Organization and non-governmental organizations concerned to continue to supply relevant information to the Working Group;

4. Welcomes the study prepared by the Secretary-General (E/CN.4/Sub.2/1989/37) on ways and means for establishing an effective mechanism for the implementation of the Slavery Conventions and encourages the Sub-Commission, including its Working Group on Slavery, to continue its debate on this study and to elaborate recommendations on this issue at its next session in 1990;

5. Takes note with appreciation of the assignment by the Secretary-General of a part-time professional staff member to serve the Working Group and undertake other activities relating to contemporary forms of slavery under the post which has been included in the budget of the Centre for Human Rights for questions relating to slavery and slavery-like practices and requests the Secretary-General to assign this staff member on a full-time basis;

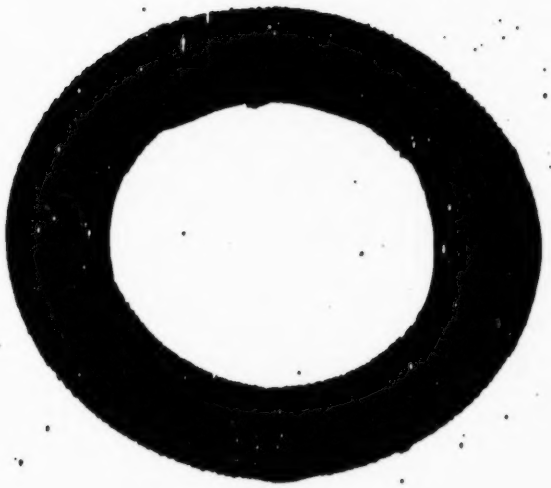
6. Recalls its request to the Secretary-General to designate the Centre for Human Rights as the focal point for the co-ordination of activities in the United Nations for the suppression of contemporary forms of slavery;

7. Calls upon all relevant non-governmental organizations in consultative status with the Economic and Social Council, including those interested in children's and women's rights, to attend the sessions of the Working Group on Contemporary Forms of Slavery;

8. Recalls its request to the Secretary-General to report to the Economic and Social Council on the steps taken by Member States, United Nations organizations and other intergovernmental organizations to implement the recommendations contained in Council resolution 1983/30 of 26 May 1983 and requests the Secretary-General to report on the comments received to the Council at its first regular session of 1990, and to make this report available to the Working Group on Contemporary Forms of Slavery of the Sub-Commission;

9. Invites all Member States to consider the possibility of taking appropriate action for the protection of children and migrant women against exploitation by prostitution and other slavery-like practices, including the possibility of establishing national bodies to achieve these objectives;

10. Requests Governments to pursue a policy of information, prevention and rehabilitation of women victims of the exploitation of prostitution and to take the appropriate economic and social measures deemed necessary to that effect.



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COMMISSION ON HUMAN RIGHTS
Forty-sixth session
Agenda item 22

ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS

Austria*, Belgium, Bulgaria, Canada, Colombia, Costa Rica*, Cyprus, Denmark*, El Salvador*, Finland*, France, Germany, Federal Republic of, Italy, Netherlands*, New Zealand*, Norway*, Peru, Senegal, Sweden, Switzerland*, Togo*, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics and United Kingdom of Great Britain and Northern Ireland: draft resolution

*/ In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Advisory services in the field of human rights

The Commission on Human Rights,

Recalling General Assembly resolution 926 (X) of 14 December 1955 by which the General Assembly established the United Nations programme of advisory services in the field of human rights,

Recalling also General Assembly resolution 41/154 of 4 December 1986, in which the Assembly requested the Commission on Human Rights to continue to pay special attention to the most appropriate ways of assisting, at their request, countries of the different regions under the programme of advisory services and to make, where necessary, the relevant recommendations,

Recalling also General Assembly resolution 43/90 of 8 December 1988, in which the Assembly invited the Commission on Human Rights to consider a programme of action in the field of human rights, including activities to develop human rights institutions and infrastructures,

Recalling further its resolution 1985/26 of 11 March 1985, in which it encouraged the Secretary-General to continue and enhance his efforts under the programme of advisory services in the field of human rights to provide practical assistance to States in the implementation of international conventions on human rights, particularly the International Covenants on Human Rights, and its resolutions 1986/52 of 13 March 1986, 1987/37 and 1987/38 of 10 March 1987, 1988/53 and 1988/54 of 8 March 1988 and 1989/71 and 1989/72 of 8 March 1989,

Mindful of the provisions of General Assembly resolution 926 (X) that advisory services shall be rendered by the Secretary-General solely at the request of governments,

Taking note with appreciation of the report of the Secretary-General (E/CN.4/1990/43),

Noting with appreciation the Secretary-General's enhanced efforts to co-ordinate system-wide advisory services and technical assistance in the field of human rights and the foundation of a flexible inter-agency mechanism for human rights activities,

Noting with appreciation the organization on an international seminar on cultural dialogue between the countries of origin and the host countries of migrant workers, held in Athens from 18 to 26 September 1989, and of a national training course on international human rights standards, held in Moscow from 27 November to 1 December 1989,

Noting the importance of expert services, fellowships and scholarships, training courses and seminars under the programme of advisory services as forms of practical assistance to States with a view to enabling them to develop the necessary infrastructure to meet international human rights standards,

Supporting, therefore, the general thrust of the plan of activities contained in the report of the Secretary-General (E/CN.4/1990/43),

1. Welcomes the increasing number of requests from governments for support and technical assistance in the field of human rights;

2. Reaffirms that the programme of advisory services in the field of human rights should continue to provide practical assistance in the implementation of international conventions on human rights to those States which indicate a need for such assistance;

3. Requests the Secretary-General to provide urgently more human and financial resources for the enlargement of advisory services, particularly from section 24 of the regular budget concerning technical co-operation, in order to meet the increased demand on this important instrument intended to invigorate the human rights spirit in the world;

4. Requests the Secretary-General to pursue his efforts for a medium-term plan for advisory services and technical assistance in the field of human rights, taking into account the comments and views expressed by Governments at the forty-sixth session of the Commission on Human Rights;

5. Recommends to the Secretary-General that the provision of expert assistance and activities to assist Governments in the development of the necessary infrastructures to meet international human rights standards should continue to increase;

6. Welcomes the setting-up of an advisory group in the Centre for Human Rights to assist the Under-Secretary General for Human Rights in the identification and evaluation of projects, and requests the Secretary-General to further restructure the secretariat in this area aiming at even more effective management of these activities;

7. Requests the Secretary-General to enable the Centre for Human Rights to intensify co-ordination within the United Nations system of the activities for the provision of advisory services and technical assistance in the field of human rights in all their aspects;

8. Notes with appreciation the co-operation between the Centre for Human Rights and the United Nations Development Programme and encourages the leadership of both organizations to further enhance co-ordination and co-operation between them;

9. Requests the Secretary-General to explore yet further the possibilities offered by co-operation between the Centre for Human Rights and specialized bodies of the United Nations system, such as the United Nations Development Programme and the Office of the United Nations High Commissioner for Refugees, as well as the International Committee of the Red Cross, in the development of strategies for the setting up or the strenghtening of national and regional instructures for the promotion and protection of human rights and fundamental freedoms and the planning, execution and evaluation of specific projects;

10. Requests the Secretary-General to ensure close co-ordination between the activities of the regular programme of advisory services and those of the Voluntary Fund for Advisory Services and Technical Assistance in the Field of Human Rights;

11. Also requests the Secretary-General to bring the need for further technical assistance in the legal field that has been indicated by a number of States to the attention of the United Nations bodies and agencies that are active in providing assistance in the field of development with a view to promoting human rights in the development strategies and policies of the United Nations;

12. Invites competent United Nations bodies, such as the committees set up under the International Covenants on Human Rights, the Committee on the Elimination of Racial Discrimination and the Committee against Torture, to make suggestions and proposals for the implementation of advisory services;

13. Requests its special rapporteurs and representatives, as well as the Working Group on Enforced or Involuntary Disappearances, to inform Governments, whenever appropriate, of the possibility of availing themselves of the services provided for under the programme of advisory services and to include in their recommendations, whenever appropriate, proposals for specific projects to be realized under the programme of advisory services;

14. Requests the Secretary-General to give special attention to such proposals of special rapporteurs and representatives;

15. Appeals to all Governments to consider making use of the possibility offered by the United Nations of organizing, under the programme of advisory services in the field of human rights, information and/or training courses at

the national level for appropriate government personnel on the application of international human rights standards and the experience of relevant international organs;

16. Encourages Governments in need of technical assistance in the field of human rights to avail themselves of the advisory servics of experts in the field of human rights, for example, for drafting basic legal texts in conformity with international conventions on human rights;

17. Expresses its appreciation to all Governments and intergovernmental and non-governmental organizations which have responded to the Secretary-General's call to provide assistance to States that indicated their need for technical assistance in the field of human rights, and requests the Secretary-General to pursue his efforts to co-ordinate and facilitate the flow of bilateral assistance in such cases;

18. Requests the Secretary-General to report to the Commission at its forty-seventh session on the progress made in the implementation of the programme of advisory services in the field of human rights.

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Forty-sixth session

Agenda item 22

ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS

Austria*, Canada, Colombia, Costa Rica*, Cyprus, Denmark*, El Salvador*, Finland*, France, Germany, Federal Republic of, Italy, Netherlands*, New Zealand*, Norway*, Peru, Senegal, Sweden, Switzerland, Togo* and United Kingdom of Great Britain and Northern Ireland: draft resolution

Voluntary Fund for Advisory Services and Technical Assistance in the Field of Human Rights

The Commission on Human Rights,

Recalling General Assembly resolution 926 (X) of 14 December 1955 by which the General Assembly established the United Nations programme of advisory services in the field of human rights,

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*/ In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Recalling the establishment of the Voluntary Fund for Advisory Services and Technical Assistance in the Field of Human Rights by the Secretary-General on 16 November 1987 pursuant to its resolution 1987/47 of 29 May 1987,

Bearing in mind the appeal made by the Secretary-General on that occasion to Governments and intergovernmental and non-governmental organizations for contributions to the Fund,

Noting with satisfaction that several Governments and non-governmental organizations have responded favourably to this appeal,

Recalling its resolution 1989/71 of 8 March 1989,

Taking note with appreciation of the relevant sections of the annual report of the Secretary-General on advisory services in the field of human rights (E/CN.4/1990/43),

Mindful of the provisions of General Assembly resolution 926 (X) that advisory services shall be rendered by the Secretary-General solely at the request of Governments,

1. Expresses its appreciation to the Secretary-General for the projects realized since the establishment of the Voluntary Fund for Advisory Services and Technical Assistance in the Field of Human Rights;

2. Also expresses its appreciation to those Governments and non-governmental organizations that have made financial contributions to the Voluntary Fund;

3. Calls upon all Governments, intergovernmental and non-governmental organizations and individuals to consider making voluntary contributions for the implementation of projects within the programme of the Voluntary Fund;

4. Emphasizes that the objective of the Voluntary Fund is to provide additional financial support for practical activities focused on the implementation of international conventions and other international instruments on human rights promulgated by the United Nations, its specialized agencies or regional organizations;

5. Recommends that activities under the Voluntary Fund should be directed towards expert and technical assistance to Governments with a view to creating and developing the necessary infrastructures to meet international human rights standards;

6. Encourages the Secretary-General to pay due attention to the particular needs of developing countries from all regions and to explore fully the possibilities offered by the co-operation of the relevant specialized agencies of the United Nations system with the Centre for Human Rights;

7. Recommends that the Secretary-General continue to consider for financing and implementation through the Voluntary Fund those projects and programmes which can play a catalytic role in the practical realization of internationally recognized human rights standards;

8. Further requests the Secretary-General to bring regularly to the attention of all Governments and of the competent human rights organs the possibilities that exist under the Voluntary Fund of providing advisory services and technical assistance to Governments at their request;

9. Encourages Governments in need of technical assistance in the field of human rights to avail themselves of the advisory services and technical assistance in that field;

10. Encourages Governments to seek contact and to co-operate with non-governmental human rights organizations in implementing programmes under the Voluntary Fund;

11. Requests the Secretary-General to continue to elaborate guidelines on the use and allocation of the resources available through the Voluntary Fund, with special emphasis on defining priorities and developing criteria for project appraisal and follow-up;

12. Requests the Secretary-General to guarantee transparency of the criteria applied and of the rules of procedure to be followed in the implementation of advisory services;

13. Requests the Secretary-General to report annually to the Commission on Human Rights on the operation and administration of the Voluntary Fund as part of his annual report on advisory services in the field of human rights.

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COMMISSION ON HUMAN RIGHTS
Forty-sixth session
Agenda item 12

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Australia*, Brazil, Canada, Colombia, Costa Rica*, Côte d'Ivoire*, France, Gambia, Germany, Federal Republic of, Hungary, Ireland*, Italy, Japan, Jordan*, Morocco, New Zealand*, Norway*, Pakistan, Philippines, Poland*, Senegal, Sweden, Turkey* and United States of America: draft resolution

Human rights and mass exoduses

The Commission on Human Rights,

Mindful of its general humanitarian mandate under the Charter of the United Nations to promote and encourage respect for human rights and fundamental freedoms,

Deeply disturbed by the continuing scale and magnitude of exoduses of refugees and displacements of population in many regions of the world and by the human suffering of millions of refugees and displaced persons,

Conscious of the fact that human rights violations are one of the multiple and complex factors causing mass exoduses of refugees and displaced persons, as indicated in the study of the Special Rapporteur on this subject (E/CN.4/1503) and also in the report of the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees (A/41/324, annex),

*/ In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Aware of the recommendations concerning mass exoduses which it has made to the Sub-Commission on Prevention of Discrimination and Protection of Minorities and to the special rapporteurs when studying violations of human rights in any part of the world,

Deeply preoccupied by the increasingly heavy burden being imposed, particularly upon developing countries with limited resources of their own, and upon the international community as a whole, by these sudden mass exoduses and displacements of population,

Stressing the need for international co-operation aimed at averting new massive flows of refugees in parallel with the provision of durable solutions to actual refugee situations,

Taking note once again of the report of the Secretary-General on human rights and mass exoduses (A/38/538),

Welcoming the endorsement by the General Assembly, at its forty-first session, of the recommendations and conclusions contained in the report of the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees,

Recalling General Assembly resolution 44/164 of 15 December 1989, endorsing the recommendation of the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees that the principal organs of the United Nations should make fuller use of their respective competencies under the Charter of the United Nations for the prevention of new massive flows of refugees and displaced persons,

Further recalling its own resolution 1989/63 of 8 March 1989, as well as all previous relevant resolutions of the General Assembly and the Commission on Human Rights,

Welcoming the steps taken so far by the United Nations to examine the problem of massive outflows of refugees and displaced persons in all its aspects, including its root causes,

Bearing in mind the statement made at its forty-sixth session by the United Nations High Commissioner for Refugees, who drew attention to the complexity of the global refugee problem, the need for a comprehensive approach addressing the concerns of all the different groups involved and the important role to be played in this regard by human rights institutions,

Noting that the Executive Committee of the High Commissioner's Programme has specifically acknowledged the direct relationship between observance of human rights standards, refugee movements and problems of protection,

Further recalling the invitation made by the General Assembly in resolution 44/164 to keep the question of human rights and mass exoduses under review with a view to supporting the early warning arrangement instituted by the Secretary-General to avert new massive flows of refugees and displaced persons,

1. Invites again all Governments and intergovernmental and humanitarian organizations concerned to intensify their co-operation and assistance in world-wide efforts to address the serious problems resulting from mass exoduses of refugees and displaced persons, and also the causes of such exoduses;

2. Requests all Governments to ensure the effective implementation of the relevant international instruments, in particular in the field of human rights, as this would contribute to averting new massive flows of refugees and displaced persons;

3. Takes note of the report of the Secretary-General on human rights and mass exoduses (A/44/622);

4. Encourages the Secretary-General to continue to take the necessary steps to discharge the function and responsibilities described in the report of the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees, including the continuous monitoring of all potential outflows;

5. Welcomes the call by the Executive Committee of the High Commissioner's Programme for a working group to examine refugee protection and durable solutions in a coherent and comprehensive manner;

6. Requests the Secretary-General to continue to develop the role of the Office for Research and the Collection of Information to strengthen the co-ordination of information gathering and analysis with agencies so as to provide early warning of developing situations requiring the Secretary-General's attention, as well as to provide a focal point within the United Nations system for policy response, including identification of policy options for the Secretary-General;

7. Further requests the Secretary-General to make the necessary information available to the competent United Nations organs;

8. Urges the Secretary-General to use the resources available to consolidate and strengthen the system for undertaking early warning activities in the humanitarian area by, inter alia, computerization of the Office for Research and the Collection of Information and strengthened co-ordination

among the relevant parts of the United Nations system, especially the Office for Research and the Collection of Information, the Office of the United Nations High Commissioner for Refugees, the Centre for Human Rights and the relevant specialized agencies and ensuring that data collection and information handling processes are harmonized and, where possible, that use be made of computerized systems;

9. Looks forward to the Secretary-General's report to the General Assembly at its forty-fifth session on the strengthened role that the Secretary-General could play in undertaking early warning activities, especially in the humanitarian area, as well as any further developments relating to the recommendations contained in the report of the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees;

10. Decides to continue consideration of the question of human rights and mass exoduses at its forty-seventh session.

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